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|---|--|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b> |  | ATTORNEY'S DOCKET NUMBER<br>08228/068001                            |
|   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/518148</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/005475  | INTERNATIONAL FILING DATE<br>16 April 2004 | PRIORITY DATE CLAIMED<br>16 April 2004                              |
| TITLE OF INVENTION GALLIUM-NITRIDE-BASED LIGHT-EMITTING APPARATUS   |  |   |
| APPLICANT(S) FOR DO/EO/US Hisao Sato et al.   |  |   |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☒ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☒ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☒ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Return Receipt Postcard; International Search Report; Written Opinion; Copy of PCT Request; Form PCT/RO/105; Form PCT/IB/301

22511  
PATENT TRADEMARK OFFICE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |                             |   |            |  |           |
|--|-----------------------------|---|------------|--|-----------|
| U.S. APPLICATION NO. (known as 37 CFR 1.51)<br><div style="font-size: 2em; font-weight: bold; margin-left: 50px;">10/518148</div>  |                             | INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/005475                            |            | ATTORNEY'S DOCKET NUMBER<br>08228/068001 |           |
| 21. The following fees are submitted:  |                             |   |            |  |           |
| <input checked="" type="checkbox"/>  | a) Basic national fee ..... |   |            | \$300.00                                 |           |
| <input checked="" type="checkbox"/>  | b) Examination fee .....    |   |            | \$200.00                                 |           |
| <input checked="" type="checkbox"/>  | c) Search fee .....         |   |            | \$500.00                                 |           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |                             |   |            | <b>\$1000.00</b>                         |           |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.     |                             |   |            |  |           |
| Total Sheets   | Extra sheets                | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE       |  |           |
| 19 - 100 =   | /50 =                       |   | x \$250.00 |  |           |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).  |                             |   |            | \$                                       |           |
| CLAIMS   | NUMBER FILED                | NUMBER EXTRA  | RATE       |  |           |
| Total claims   | 8 - 20 =                    |   | x          | \$                                       | 0.00      |
| Independent claims   | 1 - 3 =                     |   | x          | \$                                       | 0.00      |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable)  |                             |   | +          | 360.00                                   | \$ 360.00 |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |                             |   |            | \$                                       | 1,360.00  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |                             |   |            | \$                                       |           |
| <b>SUBTOTAL =</b>  |                             |   |            | \$                                       | 1,360.00  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).   |                             |   |            | +  | \$        |
| <b>TOTAL NATIONAL FEE =</b>  |                             |   |            | \$                                       | 1,360.00  |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |                             |   |            | +  | \$ 40.00  |
| <b>TOTAL FEES ENCLOSED =</b>   |                             |   |            | \$                                       | 1,400.00  |
|  |                             |   |            | Amount to be refunded:                   | \$        |
|  |                             |   |            | Amount to be charged:                    | \$        |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.   |                             |   |            |  |           |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.  |                             |   |            |  |           |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0591</u> . A duplicate copy of this sheet is enclosed.                                |                             |   |            |  |           |
| d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038. |                             |   |            |  |           |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.  |                             |   |            |  |           |
| SEND ALL CORRESPONDENCE TO:  |                             |   |            |  |           |
| SIGNATURE:   |                             |   |            |  |           |
| NAME: Jonathan P. Osha   |                             |   |            |  |           |
| REGISTRATION NUMBER: 33,986  |                             |   |            |  |           |
| CUSTOMER NUMBER: 22511   |                             |   |            |  |           |

10/518148

DTT Dec'd PCT/PTO 17 DEC 2004

PTO/SB/17 (12-04)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |      |                          |                       |              |
|---|------|--------------------------|-----------------------|--------------|
| <b>Effective on 12/08/2004.</b><br><b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b><br><b>FEE TRANSMITTAL</b><br><b>For FY 2005</b> |      | <b>Complete if Known</b> |                       |              |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |      | Application Number       | Not Yet Assigned      |              |
|   |      | Filing Date              | Concurrently Herewith |              |
|   |      | First Named Inventor     | Hisao Sato            |              |
|   |      | Examiner Name            | Not Yet Assigned      |              |
|   |      | Art Unit                 | N/A                   |              |
| TOTAL AMOUNT OF PAYMENT   | (\$) | 1,400.00                 | Attorney Docket No.   | 08228/068001 |

**METHOD OF PAYMENT (check all that apply)**

☐ Check    ☒ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account    Deposit Account Number: 50-0591    Deposit Account Name: Osha & May L.L.P.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description   | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50       | 25                    |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200      | 100                   |
| Multiple dependent claims   | 360      | 180                   |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|---------------------------|----------|---------------|
| 8            | - 20 =       | x        | =             |                           |          |               |

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
| 1             | - 3 =        | x        | =             |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$)                       | Fee Paid (\$) |
|--------------|--------------|--|--------------------------------|---------------|
| 19           | - 100 =      | /50  | (round up to a whole number) x | =             |

**4. OTHER FEE(S)**

|  | Fees Paid (\$) |
|--|----------------|
| Non-English Specification, \$130 fee (no small entity discount)              |                |
| Other:   |                |
| 1631 Basic National Stage fee  | 300.00         |
| 1632 National Stage search fee   | 500.00         |
| 1633 National Stage examination fee  | 200.00         |
| 8021 National Stage recording each patent assignment, agreement or other ... | 40.00          |
| 1616 National Stage claims - multiple dependent                              | 360.00         |

|                     |                  |                                   |                   |
|---------------------|------------------|-----------------------------------|-------------------|
| <b>SUBMITTED BY</b> |                  |                                   |                   |
| Signature           |                  | Registration No. (Attorney/Agent) | 33,986            |
| Name (Print/Type)   | Jonathan P. Osha | Telephone                         | (713) 228-8600    |
|                     |                  | Date                              | December 17, 2004 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV576720448US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 17, 2004

Signature:  (Toni A. Hill)

22511

PATENT TRADEMARK OFFICE

Application No. (if known):

Attorney Docket No.: 08228/068001

**Certificate of Express Mailing Under 37 CFR 1.10**

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Date

  
Signature

Toni A. Hill

Typed or printed name of person signing Certificate

Registration Number, if applicable

713-228-8600  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (2 pages)  
Application Data Sheet  
Return Receipt Postcard; International Search Report; Written Opinion;  
Copy of PCT Request; Form PCT/RO/105; Form PCT/IB/301  
English language translation of the International application  
Oath or declaration of the inventor(s)  
Transmittal Letter to the United States Designated-Elected Office (2 pages)  
Assignment  
Information Disclosure Statement  
IDS Citation by Applicant (12 references)  
Payment by credit card. Form PTO-2038 is attached  
Charge \$1,400.00 to credit card